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FACSIMILE COVER SHEET

Examiner: Terry Alan McKelvey

FAX No.: 703-872-9306

Group Art Unit: 1636

Date: June 22, 2004

From: Alan S. Nadel, Esq.

FAX Operator: Helene Gabel

Re: U.S. Patent Application 09/900,345, filed July 6, 2001, of Ian Hector Frazer *et al.* for
"METHOD AND POLYNUCLEOTIDES FOR DETERMINING TRANSLATIONAL
EFFICIENCY OF A CODON"

Title of Paper sent via Facsimile: SUBSTITUTE SUPPLEMENTAL AMENDMENT AND
RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Time: _____ Akin Gump File No: 10338-5 US

Page 1 of 9 pages

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In Re: Patent Application : Group Art Unit
of Ian Hector Frazer *et al.* : 1636
:
Conf. No.: 4929 :
:
Appln. No.: 09/900,345 : Examiner:
: Terry Alan McKelvey
:
Filed: July 6, 2001 :
:
For: METHOD AND POLYNUCLEOTIDES : Attorney Docket
FOR DETERMINING TRANSLATIONAL : No. 10338-5 US
EFFICIENCY OF A CODON : (2423066/VPA)

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**SUBSTITUTE SUPPLEMENTAL AMENDMENT AND
RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

This is in response to the Communication dated June 15, 2004 and supplements the Supplemental Amendment and Response to Election of Species Requirement that was in response to the Communication dated February 24, 2004 (Paper No. 16), which in turn supplements the Response to Election of Species Requirement filed April 7, 2003 (hereinafter the "Previous Response"), concerning the above-identified application.

Other than amending the heading about and listing of claims to include indications that claims 1-6 and 11-22 have been canceled, this Substitute Supplemental Amendment And Response To Election Of Species Requirement is identical to the Supplemental Amendment And Response To Election Of Species Requirement filed March 24, 2004.

The undersigned attorney apologizes for the oversight in not including the canceled claims in the listing of claims, and appreciates the Examiner's action in calling this to his attention.